

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ROBERT G. HENDERSON,

Plaintiff,

v.

**Civil Action 2:23-cv-14
Judge Edmund A. Sargus, Jr.
Magistrate Judge Chelsey M. Vascura**

JR SCHUGEL,

Defendant.

ORDER

This matter is before the Court on the Report and Recommendation of the Magistrate Judge (ECF No. 3), which recommends dismissing this action pursuant to 28 U.S.C. § 1915(e)(2) for failure to state a claim upon which relief may be granted. Plaintiff was granted additional time, until January 27, 2023, to file an objection to the Report and Recommendation. (ECF Nos. 8.) Plaintiff has failed to file any objection. Plaintiff has, however, filed an Amended Complaint. That complaint does not address the deficiencies in the original complaint identified in the Report and Recommendation.

Therefore, the Court **ADOPTS** the Report and Recommendation (ECF No. 3), and for the reasons set forth in it, this case is **DISMISSED** pursuant to § 1915(e) for failure to state a claim upon which relief may be granted. The Clerk is **DIRECTED** to **ENTER JUDGMENT** in favor of Defendant and **CLOSE** this case.

IT IS SO ORDERED.

**2/23/2023
DATE**

**s/Edmund A. Sargus, Jr.
EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE**